

AMENDED

Nº 36705

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... FEB 12 1979
Returned to applicant for correction..... APR 12 1979
Corrected application filed..... JUN 8 1979
Map filed..... JUN 8 1979

The applicant..... Tony C. Weatherly
P.O. Box 525....., of East Ely.....
Street and No. or P.O. Box No. City or Town
Nevada 89315....., hereby make application for permission to appropriate the public
State and Zip Code No. waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is..... Underground Sources.....
Name of stream, lake or other source.
2. The amount of water applied for is..... 5.4 cfs..... second-feet
One second-foot equals 448.83 gals. per min.
(a) If stored in reservoir give number of acre-feet..... acre-feet
3. The water to be used for..... Irrigation and Domestic.....
Irrigation, power, mining, manufacturing, domestic, or other use.
4. If use is for:
 - (a) Irrigation (state number of acres to be irrigated)..... 320 acres
 - (b) Stockwater (state number and kinds of animals to be watered).....
 - (c) Other use (describe fully under "No. 12. Remarks").....
 - (d) Power:
 - (1) Horsepower developed.....
 - (2) Point of return of water to stream.....
5. The water is to be diverted from its source at the following point: in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, T.33N., R.60E., MDB&M, whence the Southeast corner of said Section
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
36 bears S. 27°11'41" E, 3,052.42 feet distant.
it should be stated.
6. Place of use..... E $\frac{1}{2}$ W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$ of Section 36, T.33N., R.60E., MDB&M.
Describe by legal subdivision, if on unsurveyed land it should be so stated.
7. Use will begin about..... 1st of January..... and end about..... 31st of December..... of each year.
Day and Month Day and Month
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)..... By Sprinkler System.....
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$20,000.00
10. Estimated time required to construct works.....3 years
11. Estimated time required to complete the application to beneficial use.....5 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This application is being filed in support of a Desert Land
Entry Application

Applicant Tony C. Weatherly

By s/ Marcia Forman
Marcia Forman, Agent
P.O. Box 150
Ely, Nevada 89301

Compared lp/dh br/ja

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.4 cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before N/A

Proof of commencement of work shall be filed before N/A

Work must be prosecuted with reasonable diligence and be completed on or before July 6, 1986

Proof of completion of work shall be filed before August 6, 1986

Application of water to beneficial use shall be made on or before July 6, 1991

Proof of the application of water to beneficial use shall be filed on or before August 6, 1991

Map in support of proof of beneficial use shall be filed on or before August 6, 1991

Commencement of work filed..... IN TESTIMONY WHEREOF, I PETER G. MORROS
Completion of work filed..... State Engineer of Nevada, have hereunto set my hand and the seal of
Proof of beneficial use filed..... my office, this 6th day of JULY
Cultural map filed.....
Certificate No..... Issued..... A.D. 19 83
Recorded..... Bk..... Page.....

Peter G. Morros
State Engineer

218 (Rev.)
GANCELLED
COUNTY RECORDER
001-2-9-1986
BECAUSE OF FAILURE
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
STATE ENGINEER